

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE HERALD, PRIMEO and THEMA FUNDS  
SECURITIES LITIGATION

09 Civ. 289 (RMB)

**NOTICE OF APPEARANCE**

PLEASE TAKE NOTICE that the following attorney appears as counsel on behalf of defendants Hannes Saleta, Karl E. Kaniak, Alfred Simon, Johannes P. Spalek, Dr. Hans-Peter Tiefenbacher, Declan Murray, Alberto La Rocca, and Ursula Radel-Leszczynski, in the above-captioned action:

Maria Barton  
Latham & Watkins LLP  
885 Third Avenue  
New York, New York 10022  
Telephone: (212) 906-1200  
Facsimile: (212) 751-4864

Dated: April 19, 2011  
New York, New York

LATHAM & WATKINS LLP

By: /s/ Maria Barton  
Maria Barton  
885 Third Avenue  
New York, New York 10022  
Telephone: (212) 906-1200  
Facsimile: (212) 751-4864

*Attorneys for Defendants Hannes Saleta,  
Karl E. Kaniak, Alfred Simon, Johannes  
P. Spalek, Dr. Hans-Peter Tiefenbacher,  
Declan Murray, Alberto La Rocca, and  
Ursula Radel-Leszczynski*